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April 12, 2005

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The Honorable Gale A. Norton
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

**Re: Interior Department's Refusal to Make Available U.S. Geological Survey
Employees Involved in the Yucca Mountain Project**

Dear Madam Secretary:

This letter responds to the Department of Interior's ("Interior") April 7, 2005 letter refusing to make available for interviews three U.S. Geological Survey ("USGS") employees directly involved in possible misconduct in connection with the Yucca Mountain Project. Interior has also refused to make these employees available for a Subcommittee hearing on Wednesday, April 13, 2005. As Chairman of the Subcommittee on the Federal Workforce and Agency Organization, I am greatly concerned by Interior's refusal to cooperate with our investigation.

As Chairman of the Subcommittee, it is my responsibility to establish the record with accurate and complete information. While I agree that these are extremely serious allegations, which present potentially serious implications for the employees involved, the Subcommittee's oversight and investigative authority extends to meeting with these employees in our effort to conduct a complete, fair, and impartial investigation of this matter. Moreover, the Department of Justice has informed Subcommittee staff that it does not object to Subcommittee staff meeting with these employees or even bringing them before the Subcommittee for a hearing. By denying access to these employees, Interior makes it difficult for us to ascertain the veracity of allegations of misconduct and the extent of Federal employee involvement.

It is important to remember that the Subcommittee is part of a separate branch of the government. The Yucca Mountain project is one of the Nation's major public works projects. Allegations of Federal employee misconduct on a project with significant potential environmental consequences undoubtedly warrants immediate Congressional attention. Waiting months, even years, for an inspector general investigation to be completed would be a disservice to the American citizenry. Therefore, it is Congress's responsibility to look into this matter and provide the public with accountability and transparency. We hope that you will recognize

Congress's role in this important matter. I ask again that you comply with our request to make these employees available to us as we conduct Congressional oversight into this matter.

Please notify the Subcommittee's Chief Counsel and Deputy Staff Director, Chad Bungard, at (202) 225-5147 by the [REDACTED] on the Department's intentions with my request.

Sincerely,



Jon Porter
Chairman

cc: The Honorable Danny Davis, Ranking Minority Member